

Office Action Summary

Application No.

10/585,724

Applicant(s)

GIRONDI, GIORGIO

Examiner

BENJAMIN KURTZ

Art Unit

1797

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 10-19 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 30 January 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date 7/06
4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 10-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites the limitation "the casing cavity" in line 3, "the inlet and outlet conduits" in lines 6-7, "the facing end of the cartridge" in line 8 and "the central compartment" in line 14. There is insufficient antecedent basis for this limitation in the claim. For examination purposes the casing is assumed to have a cavity, the cover comprises an inlet and an outlet, the cartridge has a facing end and the filter cartridge is assumed to have a central compartment.

Lines 12-14 of claim 10 recite, "characterised in that part (10) of the system associated with the cartridge is located with the central compartment of this latter," It is unclear what "this latter" is referring to. For examination purposes it is assumed that the part of the snap connection system associated with the cartridge is located within the central compartment of the filter cartridge.

Claim 11 recites the limitation "that system part (10) installed on the cartridge", "said central compartment", "the receiving seat" and "the part installed on the cover". There is insufficient antecedent basis for these limitations in the claim. For examination purposes that system part installed on the cartridge is assumed to be the system part

associated with the cartridge, the cartridge is assumed to have a central compartment, the system part associated with the cartridge is assumed to provide a receiving seat and the part installed on the cover is assumed to be the part associated with the cover.

Claim 12 recites the limitation "the free edge". There is insufficient antecedent basis for this limitation in the claim. For examination purposes the annular body is assumed to have a free edge.

Claim 13 recites the limitation "the inner cylindrical surface of the annular body". There is insufficient antecedent basis for this limitation in the claim. For examination purposes the annular body is assumed to have an inner cylindrical surface.

Claims 15-17 recite the limitation "the bottom edge of the respective recess" in the last line. There is insufficient antecedent basis for this limitation in the claim. For examination purposes the recess is assumed to have a bottom edge.

Claim 18 recites the limitation "the number of recesses of said annular body" in lines 6-7 and "the bottom edge of the respective recess. There is insufficient antecedent basis for this limitation in the claim. For examination purposes claim 18 is assumed to depend from claim 12 and the recess is assumed to have a bottom edge.

Claim 19 recites the limitation "said annular body", "the number of recesses of the annular body" and "the bottom edge of the respective recess". There is insufficient antecedent basis for this limitation in the claim. For examination purposes claim 19 is assumed to depend from claim 12 and the recess is assumed to have a bottom edge.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/100511 (referred to herein as WO) and Baumann et al. US 6 706 181.

Claim 10, WO teaches a filter comprising: a casing (11) containing a toroidal filter cartridge (20) which separates the casing cavity into two chambers, a removable cover (12) closing the cavity and comprising inlet and outlet conduits, the region of the cover facing the casing being connected to a facing end of the cartridge by a snap connection system comprising two complementary parts (31 and 41) which are associated with the cover and the cartridge respectively, and can be connected together by axially sliding the cartridge and that part of the system (31) associated with the cover comprises longitudinal elastic tangs that couple with the part (41) associated with the cartridge and suitable to be rotated of a predetermined angle to be released therefrom (fig. 1). WO does not teach that part (31) being located within a central compartment of the cartridge or the part (31) being inserted into the part (41).

Baumann teaches a filter comprising a casing, a filter cartridge and a cover and the region of the cover facing the casing being connected to a facing end of the cartridge by a snap connection system comprising two complementary parts (7 and 15)

associated with the cover and the cartridge respectively, and can be connected together by axially sliding the cartridge, the part (15) is located within a central compartment of the cartridge, and the part (7) comprises longitudinal elastic tangs suitable to be axially inserted into the part (15) and coupled thereto. The claim would have been obvious because the technique for improving a particular class of devices was part of the ordinary capabilities of a person of ordinary skill in the art, in view of the teaching of the technique for improvement in other situations, *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385 (2007). Baumann teaches the technique of inserting part (7) into an inner cavity of the cartridge to connect the cover and cartridge. The claimed invention is a simple rearrangement of the parts taught by WO to have the configuration of the parts taught by Baumann. Shifting the position of an element is unpatentable if shifting the position of the element would not modify the operation of the device, *In re Japikse*, 86 USPQ 70 (1950).

Claim 11, WO further teaches the part (41) comprises an annular body and it provides a receiving seat for the snap connection of part (31) (fig. 1). Baumann teaches the part (15) being inserted into a central compartment of the cartridge and the claim would have been obvious for the reasons given above.

Claim 12, WO further teaches the receiving seat comprises a circumferential series of equidistant recesses which are provided along a free edge of the annular body part (fig. 3). Baumann teaches the part (15) being inserted into a central compartment of the cartridge and the claim would have been obvious for the reasons given above.

Claim 13, WO further teaches that each portion of the annular body between two recesses comprise a depressed curved transverse surface provided on a cylindrical surface of the annular body and having its center of curvature outside the longitudinal axis of the annular body and presents a depth which starting from a side of the respective recess decreases until it becomes zero before reaching the next recess (fig. 3). Baumann teaches the part (15) being located on the inner cylindrical surface of the inner body and the claim would have been obvious for the reasons give above.

Claim 14, WO further teaches that beyond the zero depth end of the depressed curved surface and space from it, the annular body presents an internal abutment (45) which defines the predetermined angle for releasing the cartridge (fig. 3).

Claims 15-19, Baumann further teaches the snap connection part (7) comprises a projecting sleeve which is inserted as an exact fit into the annular body, and from the free end of which there branch a number of longitudinal tangs and each tang is provided with an outer terminal tooth engaging a bottom edge of the recess (fig. 1). WO teaches the number of tangs matches the number of recesses. The claim would have been obvious because the technique for improving a particular class of devices was part of the ordinary capabilities of a person of ordinary skill in the art, in view of the teaching of the technique for improvement in other situations, KSR International Co. v. Teleflex Inc., 82 USPQ2d 1385 (2007).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN KURTZ whose telephone number is (571)272-8211. The examiner can normally be reached on Monday through Friday 8:00am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample can be reached on 571-272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin Kurtz
Examiner
Art Unit 1797

/Benjamin Kurtz/
Examiner, Art Unit 1797
11/7/08

/Krishnan S Menon/

Primary Examiner, Art Unit 1797